## State of Wisconsin Department of Natural Resources

# NOTICE TO PRESIDING OFFICERS OF PROPOSED RULEMAKING

Pursuant to s. 227.19, Stats., notice is hereby given that final draft rules are being submitted to the presiding officer of each house of the legislature. The rules being submitted are:

Natural Resources Board Order No	FR-14-01
Legislative Council Rules Clearinghouse	Number <u>0/-036</u>
Subject of Rules <u>Administrat</u>	tion of the forest crop
law and the managed	forest law
Date of Transmittal to Presiding Officers	July 10,2001

Send a copy of any correspondence or notices pertaining to this rule to:

Carol Turner, Rules Coordinator DNR Bureau of Legal Services LS/5, 101 South Webster

Telephone: 266-1959 e-mail: turnec@dnr.state.wi.us

An electronic copy of the proposed rule may be obtained by contacting Ms. Turner

#### REPORT TO LEGISLATURE

NR 46.30(2), Wis. Adm. Code
Administration of the forest crop law and the managed forest law

Board Order No. FR-14-01 Clearinghouse Rule No. 01-036

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#### Statement of Need

The proposed rule will make the annual stumpage rate adjustments as required in ss. 77.06(2) and 77.91(1), Stats., and update the cordwood conversion tables for timber harvested on forest tax lands.

The DNR Timber Sale Handbook was revised a few years ago for timber sales on public lands in Wisconsin. One of the revisions included was an updating of the cordwood weight conversion tables. The cordwood weight conversion table for the forest tax laws has not been updated within the forest tax program. The forest tax weight conversion table is being updated to bring the two sets of tables into a closer alignment. The new figures will more accurately reflect the true weights of cordwood being cut on tax law lands. The average weights will be reduced by approximately 3.8% for the current species and add four additional species. This would mean an increase in cordwood volumes being reported for those sales using weight to determine the volumes harvested.

For purposes of the Forest Crop Law and the Managed Forest Law, this rule repeals and recreates s. NR 46.30(2)(a) to (c) to revise annual stumpage values used to calculate severance and yield taxes due on timber cut during the period from November 1, 2001 through October 31, 2002. Thirteen separate zones reflect varying stumpage values for different species and products across the state. The average price change for sawtimber is a .29% increase in current rates. The pulpwood proposed prices are, on average, 6.85% higher compared to current prices.

#### Modifications as a Result of Public Hearing

The average price for sawtimber was revised upward. The average price is now a .29% increase rather than a .72% decrease. The pulpwood prices, however, decreased slightly from an 6.98% average increase to a 6.85% average increase. The cordwood conversion rate was revised to be reduced by 7.6% for green wood rather than 3.8%.

## Appearances at the Public Hearing and Their Position

In support - none

In opposition:

William Hennigan, Biewer Wisconsin Sawmill, P.O. Box 341, Ishpeming, MI 49849 Rob Kudick, Wausau-Mosinee Paper Corp., 100 Main Street, Mosinee, WI 54455 David R. Stoiber, P.O. Box 385, Waupaca, WI 54981

As Interest May Appear:

Juris Repsa, Georgia Pacific Corp., 100 Wisconsin River Drive, Port Edwards, WI 54469 Al Koeppel, Kretz Lumber Company, P.O. Box 160, Antigo, WI 54409

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## Response to Legislative Council Rules Clearinghouse Report

There were no comments or recommendations on the proposed rule.

## Final Regulatory Flexibility Analysis

This rule does affect small business. Small private forest landowners and forest industries enrolled under the Forest Crop Law and the Managed Forest Law are required to pay 10% and 5% respectively of the stumpage value adopted in the zone for the species and wood product volume cut from their land. Exiting compliance and reporting procedures are defined by statute.

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# ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD AMENDING, AND REPEALING AND RECREATING RULES

The Wisconsin Natural Resources Board proposes	) is the control	
an order to amend NR 46.30(1)(e); and to repeal and	)	
recreate NR 46.30(2)(a) to (c), relating to the administration	)	FR-14-01
of the Forest Crop Law and the Managed Forest Law.	)	

## Analysis Prepared by the Department of Natural Resources

Statutory authority:

ss. 77.06(2), 77.91(1) and 227.11(2)(a), Stats.

Statutes interpreted:

ss. 77.06(2), and 77.91(1), Stats.

Cordwood Weight Conversion Table Amendment: Cordwood weight conversion tables within the forestry program have been revised in the past for public land timber sales and have not been updated within the forest tax program. The forest tax weight conversion table is being updated to bring the two sets of tables into alignment, except for Red Pine which continues with its current conversion rates. The new figures will more accurately reflect the true weights of cordwood being cut on tax law lands.

Annual Stumpage Rate Adjustments: For purposes of the Forest Crop Law and The Managed Forest Law, this rule repeals and recreates s. NR 46.30(2)(a) to (c) to revise annual stumpage values used to calculate severance and yield taxes due on timber cut during the period from November 1, 2001 through October 31, 2002. Thirteen separate zones reflect varying stumpage values for different species and products across the state. The average price change for sawtimber is a .29% increase over current rates. The pulpwood proposed prices are, on the average, 6.85% higher compared to current prices.

## SECTION 1. NR 46.30(1)(e) is amended to read:

NR 46.30(1)(e) Cordwood products measured by weight will be converted to and reported as rough cord products.

1. The following table of weights will be used for conversion to cords:

	Weight per Cord					
Species	Green	Seasoned				
		a di Ma				
Cedar	3,150	3,050				
Balsam Fir	<del>5,000</del> 4,250	4,200 4,050				
Hemlock	<del>5,200</del> 4,800	4,300 4,650				
Jack Pine	$4,700\overline{4,250}$					
Red Pine	4,700	4,400				
White Pine	<del>4,700</del> 4,200	4,200 4,000				
Spruce	4,500 4,000	$4,300\overline{3,820}$				
Tamarack	$5,200\overline{4,650}$	4,400 4,450				
Aspen	4,600 4,500	4,000 4,300				
White Birch	<del>5,200</del> 4,800	$4,800\overline{4,600}$				
Yellow Birch	5,350	5,150				
Basswood	3,850	3,650				
Red Oak, all species	<del>5,600</del> 5,500	<del>5,000</del> 5,350				
White Oak	5,850	5,650				
Mixed Hardwood	5,300	4,900				

## Seasoned wood is that which is dried 2 or more months during the period April 1 to October 31 before weighing.

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## SECTION 2. NR 46.30(2)(a) to (c) are repealed and recreated to read:

## (see attached pages)

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e i li tëti djetë së kolon koje je ke krijë:

The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on June 27, 2001.

The rules shall take effect the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.

Dated at Madison, Wisconsin

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

13.000

Ву\_\_\_

Darrell Bazzell, Secretary

48,438

(SEAL)

NR 46.30 Stumpage Rates - 2002

2002 Rates - Effective Nov. 1, 2001

NR 46.30(2)(a)Stumpage Rates - Logs (stumpage value per thousand board feet measurement by the Scribner Decimal C log rule).

	1	2	3	4	5	6	7	8 9	. 1	10 1	1 .54	12	13
• •	WAUKESHA	GREEN	CRIVITZ	WAUSAU	WAU-	DODGE-	RHINE-	ADAMS R	ICHLAND	HAY-	EAU	RIVER	SPARTA
		BAY			TOMA	VILLE	LANDER	186	CENTER	WARD	CLAIRE	FALLS	4
Cedar	80.00	95.00	80.00	127.00	136.00	80.00	161.00	136.00	NA	80.00	80.00	80.00	80.00
Fir	NA	45.00	45.00	45.00	NA	NA	55.00	NA.	NA	55.00	45.00	45.00	45.00
Hemlock	NA	79.00	80.00	61.53	NA .	NA	56.11	NA	NA	56.11	54.82	54.82	54.82
Pine	13737434777	AT MAJE WAS	2.53-6.68662				an disk brederic	er al libraries	ladadysi ala k	androunderski vid	Attenda	5 <del>-</del>	
Jack	44.74	60.00	60.00	44.74	60.00	44.74	57.50	44.74	44.74	57.50	44.74	44.74	60.00
Red	141.29	125.00	107,27	143.34	130.33	141.29	118,19	154.95	141.29	153.36	140.65	124.44	125.00
White	105.26	182.97	153.63	195.50	141.17	102.00	225.32	160.26	105.26	141.76	113.75	111.80	126.98
Spruce	83.70	69.00	150.00	141.90	141.90	83.70	60.87	83.70	83.70	73.45	83,70	83.70	83.70
Tamarack	58.30	58,30	58.30	58.30	58.30	58.30	23.00	58.30	58.30	23.00	58.30	58.30	58.30
Aspen	68.18	61.68	87.78	56.74	83.25	71.17	28,00	21.88	53.21	62.42	74.48	62.00	75.00
Ash	175.15	155.86	159.88	155.75	169.09	164.44	122.56	149.00	139.71	206.60	163.86	137.11	155.11
3asswood	235.79	196.94	150.31	196.25	138.67	242.07	140.68	100.04	141.91	153.75	186,32	162.30	117.68
8irch												, , , , , ,	117700
White	50.00	110,00	179.27	164.13	137,37	50,00	210.00	115.00	50.00	172.18	100.00	125.00	78.93
Yellow	197.75	242.22	175.00	187.14	201.87	197.75	191.77	120.00	197.75	177.16	120.00	120.00	120.00
Elm	93,60	80.73	84,00	101.14	117.50	87.25	100,00	101.14	99.51	100.00	101,14	68.00	112.50
Maple			1.1										
Sugar	508.31	582.17	436.79	416.70	281.00	360.36	359.59	397.67	311.89	322.69	343,48	320.00	390.00
Other	165.71	180.10	150.93	184.82	196.99	158.85	146.44	142.50	117.74	135.61	145.92	116.84	125.00
Oak						1000							1771
Red	435.71	480.00	401.21	460.00	405.05	363.84	356.39	325.78	329.77	299.02	418.77	320.00	343.08
White	308.02	334.20	150.00	324.96	200.67	209.92	375.00	163.69	169.08	109.04	163.85	110.00	144.27
Other	206.70	265,50	147.22	169.87	142.53	206.91	225.00	150.04	190.00	60.99	138.00	95,00	135.00
Other Hardwood	200,00	205.68	177.01	95.73	167.52	175.00	176.18	106.57	141.76	154.12	158,50	140.51	125.85
8lack Walnut	682.86	NA	NA	NA	NA	740.07	NA	NA	469.28	NA .	478.82	350.00	460.00
			NA -1	Vot Applicab	le - This spe	ecies/produc	t is not norm	ally harvested	within this z	one.			

NR 46.30(2)(b) Cord Products - 128 cubic feet of wood, air and bark assuming careful piling.

	1	2	3	4	5	6	7	8	9	10	11	12	13
	WAUKESHA	GREEN	CRIVITZ	WAUSAU	WAU-	DODGE-	RHINE-	ADAMS	RICHLAND	HAY-	EAU	RIVER	SPARTA
		BAY			TOMA	VILLE	LANDER		CENTER	WARD	CLAIRE	FALLS	
Cedar	35.30	16.92	15.32	12.74	16.92	35.30	11,56	35.30	NA	13.00	35.30	35.30	35,30
Fir	NA	18.53	19,53	11.22	NA	NA	18,14	15.26	NA	12.74	10.00	20.00	15.26
Hemlock	NA	9.98	10.00	11.59	NA	NA	11.26	5.00	NA	10.00	5.00	5.00	5.00
Pine	351	es a la facilità	arrakanyar Mis	ete uitu et Alie		er til saturafti.		aan aystin	وقد بدويد عرف وال	458 5 4 4 1 5 E	ava i vitati		
Jack	23.06	36,40	38.00	36.00	38.00	15.00	27.14	38.00	25.00	36.99	38.00	38,36	36.00
Red	18.19	27.38	43.32	43.00	44.00	24.49	37.70	34.08	25,63	39.35	42.00	29.75	38.86
White	17.46	17.82	27.88	24.89	33.97	15.46	12.78	18.23	19.48	26.90	22.00	18.92	24,00
Spruce	15.65	12.50	26.26	20.33	18.00	15.00	26.31	22.19	16.00	17.28	22,17	22.88	25.00
Tamarack	21.24	28.06	28.06	28.06	28.06	21.24	21.58	21.24	21.24	10.00	21,24	21.24	21.24
Aspen	21.00	17.00	25,84	21.56	25.00	18.00	18.28	20.14	18.00	22.35	20.20	22.36	17.91
Birch	24.46	23.45	24.34	18.60	23.45	24.46	18.03	12.00	24.46	16.63	15.72	11.34	15.00
Basswood	4.41	7.01	7.12	6.74	7.01	4.41	9.78	2.00	4.41	4.16	2.00	2.00	
Oak	7.11	14.25	18.54	10,11	10.39	7.11	14.06	11.72	8.00	12.06	14.00	6.75	and the state of t
Other Hardwoo	d 8.51	6.65	21.88	12.43	8.13	11.75	13,41	13.75	8:34	13.28	15.00	9.85	14.00
Fuelwood	10.12	7.70	7.70	2.00	7.70	10,12	8.00	7.00	10.12	8.00	7:00	7.00	
			NA -1	Not Applicabl	e - This spe	ecies/produc	t is not norm	ally harves	ted within this	zone.			

VR 46.30(2)(c) Piece products (stumpage value per piece).

	1 WAUKESHA	2 GREEN BAY	3 CRIVITZ	4 WAUSAU	5 WAU- TOMA	6 DODGE- VILLE	7 RHINE- LANDER	8 ADAMS	9 RICHLAND CENTER	10 HAY- WARD	11 EAU CLAIRE	12 RIVER FALLS	13 SPARTA
<sup>2</sup> asts & Poles													
7 and 8 ft.	0.71	0.63	0.54	0.72	0.65	0.71	0.59	0.77	0.71	0.77	0.70	0.62	0.63
10 and 12 ft.	2.12	1.88	1.61	2.15	1.95	2.12	1.77	2.32	2.12	2.30	2.11	1.87	1,88
4 and 16 ft.	3.53	3.13	2.68	3.58	3.26	3.53	2.95	3.87	3.53	3.83	3.52	3.11	3.13
8 and 20 ft.	7.02	6.21	5.33	7.12	6.47	7.02	5.87	7.70	7.02	7.62	6.99	6.18	6.21
21 and 30 ft.	10.07	8.91	7.65	10.22	9.29	10.07	8.42	11.04	10.07	10.93	10.03	8.87	8.91
11 and 40 ft.	17.40	15.39	13.21	17.65	16.05	17.40	14.55	19.08	17.40	18.88	17.32	15.32	15.39
11 and 50 ft.	26.02	23.02	19.75	26.39	24.00	26.02	21.76	28.53	26.02	28.24	25.90	22.91	23.02
51 and 60 ft.	35.94	31.79	27.28	36.46	33.15	35.94	30.06	39.41	35,94	39.01	35.77	31.65	31,79
31 and 70 ft.	47.00	41.58	35.68	47.68	43.35	47.00	39.31	51.54	47.00	51.01	46.79	41.39	41.58
Christmas Trees													
Jnsheared	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1,00	1.00	1.00	1.00	1.00	1.00
Sheared	5.78	5.78	5.78	5.78	5.78	5.78	5.78	5.78	5.78	5.78	5.78	5.78	5.78





## Wisconsin Legislative Council Rules Clearinghouse

Ronald Sklansky Clearinghouse Director

Richard Sweet Clearinghouse Assistant Director Terry C. Anderson Legislative Council Director

Laura D. Rose Legislative Council Deputy Director

## CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

### CLEARINGHOUSE RULE 01-036

AN ORDER to amend NR 46.30 (1) (e) 1.; and to repeal and recreate NR 46.30 (2) (a) to (c), relating to administration of the forest crop law and the managed forest law.

## Submitted by DEPARTMENT OF NATURAL RESOURCES

04-06-01 RECEIVED BY LEGISLATIVE COUNCIL.

04–30–01 REPORT SENT TO AGENCY.

RNS:SPH:jal

## LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below: STATUTORY AUTHORITY [s. 227.15 (2) (a)] YES Comment Attached NO / FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)] NO 1 Comment Attached YES CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)] Comment Attached ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS [s. 227.15 (2) (e)] YES Comment Attached CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)] YES Comment Attached POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL REGULATIONS [s. 227.15 (2) (g)] Comment Attached COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

YES

Comment Attached

## Fiscal Estimate — 2001 Session

<b>57</b> 6	F	LRB Number		Amendment Number if Applicable			
⊠ Original —	Updated			ranendinent (valiber ii Applicable			
☐ Corrected	Supplemental	Bill Number		Administrative Rule Number NR 46 (FR-14-01)			
Subject							
Revision of Timbe	er Stumpage Tables in NR 46.30(2	2)(a) to (c) and the Cor	dwood Weight (	Conversion table in NR 46.30(1)(e).			
Fiscal Effect	- 1		······································				
State: No State F	·iscai Епесt v only if bill makes a direct appropi	riation	□ Increase C	acts. May be pessible to the t			
or affects a sum suffi		Increase Costs — May be possible to absorb within agency's budget.					
Increase Existing		☐ Yes	□ No				
☐ Decrease Existin☐ Create New Appr	opriation	Existing Revenues	☐ Decrease C	Costs			
Local: No Local (	Government Costs ☐ 3.  ☐ Increase	Payanina	E Toman of La				
☐ Permissive	, —	nissive  Mandatory	5. Types of Lo	cal Governmental Units Affected:     Villages   Cities			
2. Decrease Costs	4. ☐ Decreas	e Revenues		S Others			
		nissive  Mandatory	☐ School I				
Fund Sources Affect	D □ PRO □ PRS ☑ SEG	☐ SEG-S	Affected Char	oter 20 Appropriations			
Assumptions Used in	Arriving at Fiscal Estimate						
Bill Summary: Ti	is Administrative Rule change ad	dresses the annual stun	page rate chang	es used in the calculation of			
severance and yie	d tax collections under the Forest	Crop Law and Manage	d Forest Law wl	nen timber is harvested from these			
private lands. Als	o in the fulle change is a revision of	of the weight conversion	n table used to co	onvert weight measurements of wood h the public timber sale conversion			
tables used for sta	te and county timber sales.	ates the tables to more (	ciosery arigii witi	n the public timber sale conversion			
	•						
30° 2 dm	_						
Fiscal Estimate: 1	the new 2002 stumpage rate sched	lule includes an average	29% increase i	n sawtimber prices and an increase of			
gross revenue is fr	om sawtimber harvests. Fighty n	iax collection in C1 2	UUU Was \$1,330, as related to com	734.22. Of this, about 20% of the Iwood harvests. As a result, a .29%			
increase in sawtim	ber prices will produce an increas	e in gross revenu of abo	out \$772. A 6.85	5% increase in cordwood values will			
generate an increa	se of \$72,924 in revenue. The net	result would be an inci	rease of \$73,696	The gross receipts are shared			
between the Town	and State, with each receiving ao	ut 50%.					
The canges in the	conversion factors will have an im	most on the volumes so		average weight reduction of 3.8% for			
the current species	listed, including green and season	ned wood. This would	in turn mean an:	average weight reduction of 3.8% for average increase in volume of 3.8%.			
It also estqablished	l weights for four additional speci	es. This only applies to	cordwood. A s	mall portion of the cordwood			
volumes are deterr	nined by weight, although it is exp	panding as a method. R	led pine is a com	mon species measured by weight and			
the current conver	sion weight is being maintained.	We do not have a metho	od of determining	g what the full fiscal impact will be.			
The net fiscal effec	t of the rule change will be about	\$36 848 increase in cra	ta rayanya and a	\$36,848 increase in local revenue.			
	or the rate entange win be about	\$50,040 incicase in 312	te revenue and a	\$30,848 increase in local revenue.			
Long-Range Fiscal In	plications						
None	•						
··one							
Prepared By:		Telephone No.	Agency				
•		·					
Joe Polasek		266-2794		ent of Natural Resources			
Authorized Signature	12	Telephone No.	Date (m	m/dd/ccyy)			
MA	Clou	05/30/2001					

Wisconsin Department of Administration Division of Executive Budget and Finance DOA-2047 (R10/2000)

## Fiscal Estimate Worksheet — 2001 Session Detailed Estimate of Annual Fiscal Effect

○ Original	☐ Updated	LRB Num	ber	Ame	endment Number if Applicable		
Corrected	☐ Supplemental	Bill Numb				mber	
Subject Revision of Timber	r Stumpage Tables in NR 46.3	0(2)(a) to (c) an	d the Cordwo	11111111	R 46 (FR-14-01) rsion table in NR 46.	.30(1)(e).	
One-time Costs or Re None	venue Impacts for State ar	nd/or Local Go	vernment (do	not include in ar	nualized fiscal effo	ect):	
	Annualized Costs:		Annuali	zed Fiscal Imna	ct on State Funds	from	
A. State Costs by C	ategory			sed Costs	Decreased C		
· · · · · · · · · · · · · · · · · · ·	ions — Salaries and Fringe	es	<b> </b> \$		\$ -		
(FTE Positio	THE ALL PLANTS OF THE STATE OF			FTE			
- 经股份的销售的	ions — Other Costs					FIE )	
Local Assista					*		
						is .	
	duals or Organizations						
	State Costs by Category		\$ Increa	sed Costs	\$ - Decreased C		
B. State Costs by Se	ource of Funds			364 00313		osis	
			<u>  \$</u>		\$ -		
FED		·			· ·		
PRO/PRS					*		
SEG/SEG-S		• •					
State Revenues GPR Taxes	Complete this only wher increase or decrease state tax increase, decrease in li	revenues (e.g.,	Increase \$	ed Revenue	Decreased Rev	venue	
GPR Earned							
FED							
PRO/PRS							
SEG/SEG-S				36,848	-	:	
Total S	State Revenues		\$	36,848	\$ -		
	Net /	Annualized Fi	scal Impact				
			State		Local		
Net Change in Costs		\$		<u>\$</u>			
Net Change in Revenu	ues .	\$	36,848	\$	36,848		
Prepared By:		Telephone	No.	Agency			
Joe Polasek		266-2794		Department of	Natural Resources		
Authorized Signature	W. u.	Telephone	No.	Date (mm/dd/			
- W-	0 4-7	400-4174		05/30/2001			